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Atty Docket No.: 01-1007
Customer No.: 32127

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s):	Alin D'SILVA et al.
Title:	METHOD AND APPARATUS FOR CALENDARED COMMUNICATIONS FLOW CONTROL
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APPEAL BRIEF

Appellant submits this Appeal Brief in support of its Appeal filed in the above-identified application.

Respectfully submitted,

March 28, 2006

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I. REAL PARTY IN INTEREST

The real party in interest of the present application is Verizon Data Services, Inc., which is an affiliate of Verizon Communications, Inc.

II. RELATED APPEALS AND INTERFERENCES

There are no appeals or interferences related to the present application.

III. STATUS OF CLAIMS

Claims 1-16 are pending in the present application, and presently stand rejected. Appellant appeals the rejections of claims 1-16.

IV. STATUS OF AMENDMENTS

No amendments to the present application have not been entered.

V. SUMMARY OF CLAIMED SUBJECT MATTER

Nine independent claims are presented in the present application. In support thereof, the specification describes an exemplary telecommunications environment that includes a voice network 104 and a data network 102. (Specification, ¶ 021, Figure 1.) A user in this environment may use a data terminal 112 to interface with the data network 102 and phones 114, 116 and 118 to interface with the voice network 104. (Id.) An exemplary voice network 104 is described as the PSTN. (Id., ¶ 023.) A service center 106 is provided between data network 102

and voice network 104, which can perform various features, such a communications management, protocol conversions, and transfer of communications between networks. (Id., ¶024.) The service center 106 is in communication with a service center database 108 which contains information regarding the user, such a communication forwarding rules. (Id., ¶ 025.)

An exemplary embodiment of the service center 106 is further described in conjunction with Figure 4. The preferred service center 106 is described as including a data interface server 404 that provides interface services between service center 106 and data terminal 112 over the data network 102 (Id., ¶ 047), and a calendar server 410 which may be in communication with a user's data terminal 112 (via data interface server 404) to exchange call forwarding patterns. (Id., ¶ 051.) The preferred service center 106 further includes a voice interface server 408 that may exchange information, such as call forwarding patterns, with the voice network 104. (Id. ¶ 049.)

Figure 5b illustrates an exemplary table 506 containing calendar data for forwarding communications. The table 506 is described as being stored in the data terminal 112 and the service center database 108. (Id., ¶ 055.) Each table entry is described as including a pattern name 508, a start date 510, a start time 512, an end date 514, and end time 516 a source identifier 518, a destination identifier 520 and a forwarding destination 522. (Id., ¶ 055, Figure 5b.) The source identifier 518 is described as including information identifying the source of a communication (such as a telephone call), an example of which would be a phone number for a calling party. (Id., ¶ 058.) The destination identifier 520 is described as including information identifying a destination of a communication (e.g., a telephone call), an example of which is a phone number of one of the user's phones 114, 116 and 118. (Id., ¶ 059.) The forwarding destination 522 is described as including information identifying where a communication (e.g., a telephone call) is to be forwarded, an example of which being the phone number of one of the user's phones 118. (Id., ¶ 060.)

In operation, when the voice network 104 receives a call directed to one of the user's phones (e.g., phone 114), the voice network 104 determines that a call forwarding instruction exists, and

queries its database 614 for forwarding instructions. (Id., ¶ 074.) The voice network database 614 will include forwarding instructions provided by the service center 106 (e.g., forward all calls to phone 114 to phone 118), and those instructions will be used by the voice network 104 to forward the call. (Id.)

Appellant presents the independent claims below, with references (in brackets) to elements described as part of the preferred embodiment in the specification that would be encompassed by the claimed element, as noted in the discussion above. This discussion should not be read to indicate that the presently presented claims should be read to be limited to the preferred embodiments of the specification, as the claimed elements may encompass their broadest legal scope and any legal equivalents thereof.

Independent claim 1 recites a method of configuring communications in a voice network via a data network, that includes:

> receiving, via the data network [102], at least one pattern for forwarding communications in the voice network [104] and applicable to a time period [510, 512, 514, 516], the at least one pattern including a source identifier [518], a destination number [520] and a forwarding destination identifier [522];
> storing the at least one pattern in a calendar [506]; and
> configuring the voice network [104] based on the at least one pattern and the time period.

Independent claim 8 of the present application likewise recites an apparatus that includes the elements listed below:

> means [106] for receiving, via the data network, at least one pattern for forwarding communications in the voice network and applicable to a time period, the at least one pattern including a source identifier, a destination number and a forwarding destination identifier;
> means [108] for storing the at least one pattern in a calendar; and
> means [106] for configuring the voice network based on the at least one pattern and the time period.

Independent claim 5 of the present application recites a method that includes:

> providing a calendar-based form [506] over a data network [102], including a plurality of time periods [510, 512, 514, 516];

receiving, in the calendar-based form, pattern information identifying a pattern for forwarding communications in a voice network, the pattern information including a source identifier [518], a destination identifier [520] and a destination forwarding identifier [522];

storing the pattern information in a database system [108]; and

determining at least one of the plurality of time periods that the pattern is in effect.

Independent claim 12 likewise recites an apparatus that includes:

means [112] for providing a calendar-based form over a data network, including a plurality of time periods;

means [106] for receiving, in the calendar-based form, pattern information identifying a pattern for forwarding communications in a voice network, the pattern information including a source identifier, a destination identifier and a destination forwarding identifier;

means [108] for storing the pattern information in a database system; and

means [106] for determining at least one of the plurality of time periods that the pattern is in effect.

Claim 7 recites a method of forwarding communications that includes:

receiving, via a data network [102], pattern information indicating a pattern for forwarding communications in a time period of a calendar [510, 512, 514, 516], the pattern information including a source identifier [518], a destination identifier [520] and a forwarding destination identifier [522];

storing the pattern information [506];

receiving a communications request associated with the source identifier and directed to the destination identifier;

forwarding the communications request to the forwarding destination identifier based on the time period, the destination identifier and the source identifier.

Claim 13 likewise recites an apparatus for forwarding communications that includes:

means [106] for receiving, via a data network, pattern information indicating a pattern for forwarding communications in a time period of a calendar, the pattern information including a source identifier, a destination identifier and a forwarding destination identifier;

means [108] for storing the pattern information;

means [104] for receiving a communications request associated with the source identifier and directed to the destination identifier;

means [104, 106] for forwarding the communications request to the forwarding destination identifier based on the time period, the destination identifier and the source identifier.

Independent claim 14 recites a computer readable medium comprising computer program code capable performing the method of claim 1. Independent claim 15 recites a computer readable medium comprising computer program code capable of performing the method of claim 5. Claim 16 recites a computer readable medium comprising computer program code capable of performing a method similar to that of claim 7. As such, claims 14, 15 and 16 include limitations of similar scope as the respective method claims.

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

In the final Office Action mailed July 28, 2005, the Examiner rejected claims 1-16 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent Application Publication No. US 2004/0034700 A1 to Polcyn ("Polcyn"). The Examiner reiterated these rejections in an Advisory Action mailed October 28, 2005. Appellant seeks review of these rejections to claims 1-16.

VII. ARGUMENT

Appellant respectfully requests review and reversal of the rejections of claims 1-16 based upon the following.

A. Discussion of the Polcyn Reference

The Polcyn reference cited by the Examiner describes a system and method that "determines the availability of individuals for taking calls through reference to electronic calendar information." (Polcyn, ¶ 0012.) The files associated with the electronic calendar may be stored on a database 101 on an office LAN. (Id., ¶ 0034.) A translator 105 is provided to translate information stored in the electronic office calendar for use with a "call processing system." (Id., ¶ 0038.) The

translated calendar information may be stored in a database 108 associated with the call processing system. (Id., ¶ 0040.) In describing the type of information that may be stored in "calendar entries" in the calendar application, Polcyn notes that "time information" may be stored (e.g., a block of time from 6:00 am to 9:00 am), as well as an indication of a person with whom the entry is associated (e.g., meeting with "David"). (Id., ¶ 0045, Fig. 1.) The calendar entry 103 may also specify a "shorthand notation" (e.g., "#E") or an actual telephone number (e.g., "555-1212") that indicates a specific forwarding number to which calls to the user should be routed during the event. (Id., ¶ 0064-0065, Fig. 1.) In operation, the translator extracts the information stored in the data file 104 of the LAN-based calendaring application that is "useful to the communications system," (Id., ¶ 0044) and reformats the data for storage in the communications system database 108. (Id., ¶ 0049.)

The communications system database 108 is described as including a routing table 112, which indicates particular devices to which calls to the user should be forwarded during specific blocks of time. (Id., ¶ 0058.) The routing table 112 is updated based on the information retrieved from the LAN-based calendar application, so that call routing may conform to the entries in the LAN-based calendaring application. (Id., ¶ 0060.) In order to accommodate the shorthand notation of the calendaring application, the database 108 may also include a "phone number directory" 111 that stores the shorthand notation and the associated telephone number. (Id., ¶ 0061-0062.)

As an additional feature, Polcyn describes a process where a caller to the communication system may be able to schedule a meeting on the LAN-based calendaring application of the user. (Id., ¶ 0072.) As part of this process, a caller may be connected to a voice response unit which provides various prompts to enter information associated with an appointment. (Id., ¶0074-0079.) Once an appointment is scheduled, the caller's phone number may be used to provide information about the caller in the calendar entry. (Id., ¶0081-0082.)

Appellant notes that Polcyn does not describe storing in either the LAN-based calendaring application or in the database associated with the communications system any call forwarding pattern applicable to a time period that includes a source identifier, a destination identifier and a

forwarding destination identifier. Nor does Polcyn describe the use of the source identifier or the destination identifier in forwarding an incoming call.

B. Rejection of Claims 1-4, 8-11 and 14

Claim 1 of the present application recites a method including:

> receiving, via the data network, at least one pattern for forwarding communications in the voice network and applicable to a time period, the at least one pattern including a source identifier, a destination number and a forwarding destination identifier;
> storing the at least one pattern in a calendar; and
> configuring the voice network based on the at least one pattern and the time period.

Claim 8 likewise recites an apparatus that includes:

> means for receiving, via the data network, at least one pattern for forwarding communications in the voice network and applicable to a time period, the at least one pattern including a source identifier, a destination number and a forwarding destination identifier;
> means for storing the at least one pattern in a calendar; and
> means for configuring the voice network based on the at least one pattern and the time period.

Claim 14 recites a computer readable medium comprising computer program code capable of performing a method similar to that of claim 1.

Based on the description provided in Polcyn, Polcyn cannot anticipate claims 1, 8 or 14. For example, Polcyn does not teach (or suggest) a method or apparatus that includes a call forwarding pattern, applicable to a time period, and including a source identifier, a destination number and a forwarding destination identifier, or storing such a call forwarding pattern in a calendar, as is recited in claims 1, 8 and 14. At best, Polcyn describes (i) calendar entries of the calendaring application that are associated with blocks of time and indicate a forwarding destination (see, e.g., Polcyn, ¶ 0045, 0064 ("#E" shorthand notation)), and (ii) a routing table of a communication system that includes entries associated with blocks of time and include a forwarding number. (See, e.g., Polcyn, ¶0058-0060 (routing table 112).) However, Polcyn does

not describe any calendar entries or routing table entries that include, for example, an identifier associated with a caller or a called number. As a result, the system and method in Polcyn cannot achieve the features described in the present application and encompassed within claims 1, 8 and 14, which permit the routing of calls based on the identity of the caller and/or the destination number that is called.

Although Appellant raised the absence of these portions of claims 1, 8 and 14 in its response to the final Office Action, in the responsive Advisory Action, the Examiner asserted that

> a fair reading of Polcyn does teach forwarding patterns and times (at least paragraphs 0046, 0055-0056 and 0067 and Fig. 1). A source identifier (paragraph 0081 (note use ANI)), a destination identifier (0059 and 0061) and forwarded destination identifier (at least paragraph 0065). (Advisory Action, p. 2.)

As an initial matter, this assertion does not actually state that Polcyn teaches a call forwarding pattern that includes all of a source identifier, destination identifier and forwarding destination identifier and which is stored, as required by claims 1, 8 and 14. Thus the Examiner has not made a prima facie case of anticipation based on the Polcyn reference. Moreover, in reviewing the portions of Polcyn cited by the Examiner, no description of a stored call forwarding pattern including a source identifier or a destination number is actually presented. Rather, the cited portions refer to multiple forwarding destination numbers (Polcyn, ¶0059, 0061) and caller identification (ANI) information that is not described as being stored as part of a call forwarding pattern, but rather as part of an appointment scheduling process. (Id., ¶ 0081).

Appellant submits that Polcyn neither teaches nor suggests all of the elements of claims 1, 8 and 14, and therefore claims 1, 8 and 14 are patentable over Polcyn. Appellant thus respectfully requests the reversal of the rejections of claims 1, 8 and 14. As claims 2-4 are dependent from claim 1, and therefore include all of the limitations of claim 1, Appellant believes claims 2-4 to be patentable over Polcyn for at least the same reasons as claim 1, and therefore respectfully requests the reversal of the rejections of claims 2-4. As claims 9-11 are dependent from claim 8, and therefore include all of the limitations of claim 8, Appellant believes claims 9-11 to be patentable over Polcyn for at least the same reasons as claim 8. Appellant therefore respectfully requests the reversal of the rejections of claims 9-11 as well.

C. Claims 5, 6, 12 and 15

Claim 5 recites a method that includes:

> providing a calendar-based form over a data network, including a plurality of time periods;
> receiving, in the calendar-based form, pattern information identifying a pattern for forwarding communications in a voice network, the pattern information including a source identifier, a destination identifier and a destination forwarding identifier;
> storing the pattern information in a database system; and
> determining at least one of the plurality of time periods that the pattern is in effect.

Claim 12 likewise recites an apparatus that includes:

> means for providing a calendar-based form over a data network, including a plurality of time periods;
> means for receiving, in the calendar-based form, pattern information identifying a pattern for forwarding communications in a voice network, the pattern information including a source identifier, a destination identifier and a destination forwarding identifier;
> means for storing the pattern information in a database system; and
> means for determining at least one of the plurality of time periods that the pattern is in effect.

Claim 15 recites a computer readable medium comprising computer program code capable of performing a method similar to that of claim 5.

Polcyn neither teaches nor suggests all of the elements of claims 5, 12 and 15. For example, as noted above in the discussion of Polcyn and the discussion of claims 1-4, 8-11 and 14, Polcyn neither teaches nor suggests pattern information identifying a pattern for forwarding communications in a voice network, the pattern information including a source identifier, a destination identifier and a destination forwarding identifier, and storing such pattern information, such as recited in claims 5, 12 and 15. The system and method described in Polcyn does not include any calendar entries or routing table entries that include, for example, an identifier associated with a caller or an identifier associated with a called number. For at least

this reason, Appellant believes claims 5, 12 and 15 are not anticipated or otherwise rendered unpatentable by Polcyn, and therefore Appellant respectfully requests that the Examiner's rejections of claims 5, 12 and 15 be reversed. As claim 6 is dependent from claim 5, and therefore includes all of the limitations of claim 5, Appellant believes claim 6 to be patentable over Polcyn for at least the same reasons as claim 5, and Appellant therefore respectfully requests that the Examiner's rejection of claim 6 be reversed as well.

D. Claims 7, 13 and 16

Claim 7 recites a method that includes:

> receiving, via a data network, pattern information indicating a pattern for forwarding communications in a time period of a calendar, the pattern information including a source identifier, a destination identifier and a forwarding destination identifier;
>
> storing the pattern information;
>
> receiving a communications request associated with the source identifier and directed to the destination identifier;
>
> forwarding the communications request to the forwarding destination identifier based on the time period, the destination identifier and the source identifier.

Claim 13 likewise recites an apparatus that includes:

> means for receiving, via a data network, pattern information indicating a pattern for forwarding communications in a time period of a calendar, the pattern information including a source identifier, a destination identifier and a forwarding destination identifier;
>
> means for storing the pattern information;
>
> means for receiving a communications request associated with the source identifier and directed to the destination identifier;
>
> means for forwarding the communications request to the forwarding destination identifier based on the time period, the destination identifier and the source identifier.

Claim 16 recites a computer readable medium comprising computer program code capable of performing a method similar to that of claim 7.

Polcyn neither teaches nor suggests all of the elements of claims 7, 13 and 16. For example, as noted above in the discussion of Polcyn and the discussion of claims 5, 6, 12 and 15, Polcyn neither teaches nor suggests pattern information indicating a pattern for forwarding communications in a time period of a calendar, the pattern information including a source identifier, a destination identifier and a forwarding destination identifier, such as recited in claims 7, 13 and 16. Moreover, as also noted above in the discussion of Polcyn, Polcyn neither teaches nor suggests forwarding a communications request to the forwarding destination identifier based on the time period, the destination identifier and the source identifier, as recited by claims 7, 13 and 16. For at least these reasons, Appellant believes claims 7, 13 and 16 are not anticipated or otherwise rendered unpatentable by Polcyn, and therefore Appellant respectfully requests that the Examiner's rejections of claims 7, 13 and 16 be reversed.

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VIII. CLAIMS APPENDIX

1. (Previously Presented) A method of configuring communications in a voice network via a data network, comprising:

receiving, via the data network, at least one pattern for forwarding communications in the voice network and applicable to a time period, the at least one pattern including a source identifier, a destination number and a forwarding destination identifier;

storing the at least one pattern in a calendar; and

configuring the voice network based on the at least one pattern and the time period.

2. (Original) The method of claim 1, further comprising:

forwarding communications in the voice network based on the at least one pattern and the time period.

3. (Previously Presented) The method of claim 1, wherein receiving at least one pattern for forwarding communications comprises receiving information indicating a call forwarding sequence in the voice network.

4. (Previously Presented) The method of claim 1, wherein configuring the voice network based on the at least one pattern and the time period comprises setting a trigger in the voice network based on the at least one pattern and the time period.

5. (Previously Presented) A method comprising:

providing a calendar-based form over a data network, including a plurality of time periods;

receiving, in the calendar-based form, pattern information identifying a pattern for forwarding communications in a voice network, the pattern information including a source identifier, a destination identifier and a destination forwarding identifier;

storing the pattern information in a database system; and

determining at least one of the plurality of time periods that the pattern is in effect.

6. (Previously Presented) The method of claim 5, further comprising:

providing the pattern and the at least one of the plurality of time periods to the voice network.

7. (Previously Presented) A method of forwarding communications in a voice network, comprising:

receiving, via a data network, pattern information indicating a pattern for forwarding communications in a time period of a calendar, the pattern information including a source identifier, a destination identifier and a forwarding destination identifier;

storing the pattern information;

receiving a communications request associated with the source identifier and directed to the destination identifier;

forwarding the communications request to the forwarding destination identifier based on the time period, the destination identifier and the source identifier.

8. (Previously Presented) Apparatus for configuring communications in a voice network via a data network, comprising:

means for receiving, via the data network, at least one pattern for forwarding communications and applicable to a time period, the at least one pattern including a source identifier, a destination number and a forwarding destination identifier;

means for storing the at least one pattern in a calendar; and

means for configuring the voice network based on the at least one pattern and the time period.

9. (Original) The apparatus of claim 8, further comprising:

means for forwarding communications in the voice network based on the at least one pattern and the time period.

10. (Previously Presented) The apparatus of claim 8, wherein the means for receiving at least one pattern for forwarding communications comprises means for receiving information indicating a call forwarding sequence in the voice network.

11. (Previously Presented) The apparatus of claim 8, wherein the means for configuring the voice network based on the at least one pattern and the time period comprises means for setting a trigger in the voice network based on the at least pattern and the time period.

12. (Previously Presented) Apparatus comprising:

means for providing a calendar including a plurality of time periods;

means for receiving, in the calendar, pattern information identifying a pattern for forwarding communications in a voice network, the pattern information including a source identifier, a destination identifier and a destination forwarding identifier;

means for storing the pattern in a database system; and

means for determining at least one of the plurality of time periods that the pattern is in effect.

13. (Previously Presented) Apparatus for forwarding communications in a voice network, comprising:

means for receiving via a data network, pattern information indicating a pattern for forwarding communications in a time period of a calendar, the pattern information including a source identifier, a destination identifier and a forwarding destination identifier;

means for storing the pattern information;

means for receiving a communications request associated with the source identifier and directed to the destination identifier;

means for forwarding the communications request to the forwarding destination identifier based on the time period, the destination identifier and the source identifier.

14. (Previously Presented) A computer readable medium comprising computer program code capable of configuring a device to perform a method of configuring communications in a voice network via a data network, the method comprising:

receiving, via the data network, at least one pattern for forwarding communications in the voice network and applicable to a time period, the at least one pattern including a source identifier, a destination number and a forwarding destination identifier;

storing the at least one pattern in the calendar; and

configuring the voice network based on the at least one pattern and the time period.

15. (Previously Presented) A computer readable medium comprising computer program code capable of configuring a device to perform a method comprising:

providing a calendar-based form over a data network including a plurality of time periods;

receiving, in the calendar-based form, pattern information identifying a pattern for forwarding communications in a voice network, the pattern information including a source identifier, a destination identifier and a destination forwarding identifier;

storing the pattern information in a database system; and

determining at least one of the plurality of time periods that the pattern is in effect.

16. (Previously Presented) A computer readable medium comprising computer program code capable of configuring a device to perform a method of forwarding communications in a voice network, comprising:

receiving, via a data network, pattern information indicating a pattern for forwarding communications in a time period of a calendar, the pattern information including a source identifier, a destination identifier and a forwarding destination identifier;

storing the pattern information;

receiving a communications request associated with the source identifier and directed to the destination identifier;

forwarding the communications request to the forwarding destination identifier based on the time period, the destination identifier and the source identifier.

IX. EVIDENCE APPENDIX

[No Items]